



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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In re application of

Docket No: A8648

RECEIVED

DEC 11 2003

Cary Lane ROHWER

Appln. No.: 09/518,349

Group Art Unit: 2133 Technology Center 2100

Confirmation No.: 5134

Examiner: Anita CHOUDHARY

Filed: March 03, 2000

For: SERVER TIME WINDOW FOR MULTIPLE SELECTABLE SERVERS IN A
GRAPHICAL USER INTERFACE

SUBMISSION OF APPELLANT'S BRIEF ON APPEAL

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an original and two copies of Appellant's Brief on Appeal. A check for the statutory fee of \$330.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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PATENT APPLICATION

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DEC 11 2003

Technology Center 2100

In re application of

Docket No: A8648

Cary Lane ROHWER

Appln. No.: 09/518,349

Group Art Unit: 2153

Confirmation No.: 5134

Examiner: Anita CHOUDHARY

Filed: March 03, 2000

For: SERVER TIME WINDOW FOR MULTIPLE SELECTABLE SERVERS IN A
GRAPHICAL USER INTERFACE

APPELLANT'S BRIEF ON APPEAL UNDER 37 C.F.R. § 1.192

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 1.192, Appellant submits the following:

I. REAL PARTY IN INTEREST

The real party in interest is INTERNATIONAL BUSINESS MACHINES
CORPORATION by virtue of an assignment executed by Cary Lane Rohwer (Appellant,
hereafter), on January 8, 2000.

II. RELATED APPEALS AND INTERFERENCES

To the best of the knowledge and belief of Appellant, the Assignee and the undersigned, there are no other appeals or interferences before the Board of Appeals and Interferences ("the Board") that will directly affect or be affected by the Board's decision in the present Appeal.

III. STATUS OF CLAIMS

Claims 1-53 are all the claims pending in the application and are the claims on appeal from the following final rejections.

Claims 1-4, 19-22 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sequeira* (U.S. Patent 6,222,530; hereinafter *Sequeira*) in view of *Bowman-Amuah* (U.S. Patent 6,332,163; hereinafter *Bowman*), in further view of *Fu et al.* (U.S. Patent 5,845,257) (hereinafter *Fu*).

Claims 5, 6, 23, 24, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Lindblad et al.* (US 6,225,993; hereinafter *Lindblad*).

Claims 7, 8, 25, 26, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Moskowitz et al.* (US 5,629,732; hereinafter *Moskowitz*).

Claims 9-16, 27-34, and 44-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and *Lindblad*, and in further view of *Morris* (US 6,353,848; hereinafter *Morris*).

Claims 17, 18, 35, 36, 52, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Monterio et al.* (US 5,778,187; hereinafter *Monterio*).

IV. STATUS OF AMENDMENTS

A Request for Reconsideration Under 37 C.F.R. § 1.116 was filed on October 9, 2003, in response to the final Office Action dated May 9, 2003. No amendment was filed subsequent to the final rejection.

V. SUMMARY OF THE INVENTION

(V)(I) General Description

Appellant's invention relates to providing a centralized graphical user interface ("GUI") for managing media assets in a network by specifying and scheduling operations to be performed by a plurality of media servers in a computer network.

A media asset is defined to include parsed media data that is configured to stream from a media server to one or more clients in a computer network.

A media server is a network server system that performs various media operations on media data files (*e.g.*, video, audio, text and graphical data) and media assets in a computer network system. The media operations include (for example): deletion of media assets from network locations; copying media assets from source to destination network locations; multicasting streaming media assets from the media server to clients; and encoding media data received by the media server from multimedia equipment (*e.g.*, a video camera), to create media assets.

(V)(2) The Application's Prior Art

Appellant's invention seeks to eliminate problems in prior art systems for managing media assets. Specifically, the prior art methods generally consist of utilizing a single rudimentary HTML web page to provide an interface to schedule the execution of the above exemplary media operations by each specific media server on the network.

As an example, a single HTML web page is provided to allow the scheduling of a copy and delete function on a single media server. This web page includes only (1) prompts for a user to specify the copy or delete operation and (2) text boxes enabling an administrator to enter a path to a selected media file to be copied or deleted.

Similarly, another single HTML Web page is provided to allow the scheduling of encoding of media data on a single media server. This web page includes only text boxes enabling the administrator to enter (1) a path and a selected file name for the asset to be encoded; and (2) a duration value indicating a duration for the encoding operation.

Further, yet another HTML Web page is provided to allow the scheduling of the multicasting of streaming media assets from a single media server to clients. This web page includes only text boxes for the administrator to enter: (1) a path indicating the media asset to be multicasted; (2) an IP address for multicasting; (3) a scheduled start date and time for multicasting; and (4) a time duration for multicasting.

Such a prior art system suffers from many problems. For example, since text boxes are used, there are no mechanisms which prevent the administrator from specifying an invalid option (*e.g.*, an invalid path or file name). Further, the prior art system provides no means for notifying

the administrator that the operation has been successfully completed. Still further, during an encoding operation, the administrator is not provided with any view of the scene to be encoded (*i.e.*, any video).

Additionally, the provision of a different web page for each process on each server results in a great burden being placed upon an administrator as the number of operations and/or media increases. More specifically, in order to coordinate the scheduling of media operations at multiple servers, the administrator must access and configure each server separately.

An example of this problem arises when an administrator may wish to configure a first server to: (1) encode media data to create a new asset; and (2) later copy the new asset to a second server. Then, the administrator may wish to configure the second server to: (3) multicast the encoded asset to a client group in accordance with a schedule; and (4) then remove the encoded asset from the catalog of the second server to prevent access after a certain period of time.

As noted above, each of the operations (1) - (4) requires the administrator to access a separate web page and enter separate data in text boxes, with all of the problems noted above. Further, if there are any errors in text box entry in, for example, step (2), then steps (3) and (4) would not function, unbeknownst to the administrator.

(V)(3) General Description of the Invention

To solve these problems, Appellant has developed a centralized GUI for managing media assets in a network by specifying and scheduling operations to be performed by a plurality of media servers in different locations in a computer network.

This system drastically lowers the burden on the administrator, as it allows the coordination of multiple operations on multiple servers, and prevents the mis-keying of information through use of, for example, drop down menus. Further, this system also displays the local time at the selected media server, which is very useful as it helps the user to coordinate and schedule operations at a plurality of different media servers which reside in different time zones.

(V)(4) More Specific Description of the Invention and Relation to the Claims

As a matter of example to more fully explain the invention, Appellant will describe the centralized GUI media management system and method shown in the exemplary embodiment of the invention, which is illustrated in FIGS. 1-38 and described in detail on pages 14-91 of the Specification, will now be described. Portions of independent claims 1, 19 and 37, and their respective dependent claims 2-18, 20-36 and 38-52 that correspond to the features shown in the exemplary first embodiment are also referenced during this discussion, per the requirements of *MPEP* § 1206. This discussion of the exemplary embodiment and the pending claims is provided for explanatory purposes only, and is not intended to limit the scope of the claims in any way.

As shown in FIG. 1, an administrator terminal 12 and end user terminals 14 are connected to various servers 18, 30 and 38. Each of the servers includes a media streamer application 20. Server 18 also includes local disk 22 and asset management / scheduling program 23 (pg. 15, lines 3-22).

Media streamer 20 encodes and parses portions of media data to create a media asset to stream to end user terminals 14 (pg. 16, lines 1-3) which have browsers capable of decoding and playing assets in real time (pg. 16, lines 9-11).

An asset management and scheduling process, controlled by a GUI, is provided at the administrator terminal 12 (pg. 16, lines 12-14). This system allows a user to remotely define and schedule the execution of a variety of operations on media data at selected locations (*e.g.*, selected servers, archives, and networked devices) in the networked computer system 10 (pg. 16, lines 12-14).

The GUI comprises a main screen such as that shown in FIG. 3. The main GUI screen 100 provides an "Asset management" icon 102, an "Encode a new asset" icon 104, and a "Multicast existing assets" icon 106 (pg. 15, lines 3-22).

FIG. 5 shows an asset management GUI screen 130, which is accessed from the asset management icon 102. On this screen, a user can select media assets listed in an assets list box 136 from various available locations selected by using an available locations drop-down list 132. A server time display window 134 indicates the local time of the server selected from list 132. The define action box 141 allows the user to select where the selected media assets (from box 136) should be copied to or deleted from. The date picker 150 and the time picker 152 allow the user to schedule copying or deleting in the future. An action list box 156 provides a synopsis of the actions selected by the user (pg. 23, line 6 - pg. 25, line 2).

FIG. 12 shows an encoding GUI screen 420, which is accessed from the encode a new asset icon 104. On this screen, a user can select an encoder for encoding a new media asset (*e.g.*,

server 18 connected to camera 24) from an encoder drop down list 422. The local time at the selected encoder is displayed in a time display box 424. A duration window 130 allows the user to control or schedule the encoding. A stream box 455 allows the user to indicate destinations for real-time streaming of media data, if desired. A record asset box 471 allows the user to specify where the encoded asset is to be recorded (e.g., local disk 22 of server 18) (pg. 42, line 12 - pg. 45, line 16).

FIG. 32 shows a multicast existing assets GUI screen 1200, which is accessed from the multicast existing assets icon 106. On this screen, a user can select a server from a server drop down list 1204, and an asset on that server from an assets list box 1208. The local server time is shown in server time text box 1206. The user can define the time and date the asset is to be multicast, the destinations of the multicast, and the duration or repetition of the multicast in define schedule box 1212. Selected users may also be notified of the multicast by way of an enable notification check box 1244. The schedule of the multicasting of the assets is shown in a schedule list 1214 (pg. 75, line 9 - pg. 77, line 5).

Regarding the features recited in independent claims 1, 19 and 37, GUIs 130, 420 and 1200 are arranged at an administrator terminal 12, *i.e.*, “at a node of the network” (claims 1, 9) or “at the client” (claim 37). Available locations drop-down list 132 / define action box 141, record to box 472 / duration box 430, and server drop down list 1204 / define schedule box 1212 are for “receiving information input by the user specifying a selected one of the media servers for scheduling operations to be performed” (claims 1, 9, 37). Time display window 134, time

display box 424, and time text box 1206 are for “at said node, displaying graphical information indicative of a current local time at said selected media server (claims 1, 9, 37).

Regarding the features recited in the dependent claims that are discussed further in this Brief, available locations drop down list 132 and add/remove locations button 140 shown in FIG. 5 (along with their respective descriptions in the sections cited above), discuss “interface components” that include “a source selection interface component enabling the user to select a source location by browsing a list of available locations including predetermined mapped ones of the media servers and predetermined mapped ones of the memory devices,” as recited in claims 3, 21 and 39.

Page 18, line 17 - page 19, line 2 of the Specification discuss “transmitting an applet to the administrator terminal via the network; and executing said applet over the processing unit of the administrator terminal; whereby said graphical user interface is displayed within a browser window generated by said browser application on the display unit.” as recited in claims 5 and 23.

Encoder attributes button 426 of FIG. 12 (along with its respective description), “encoding operations for encoding media data received by selected ones of the media servers.” as recited in claims 6, 24 and 41.

“Copy to” list box 146 of FIG. 5 (along with its respective description), shows “determining a corresponding list of possible destination locations associated with said selected source location.” as recited in claims 7, 25 and 42.

Drop down date picker 150 and start time spin button time picker 152 of FIG 5 (along with their respective descriptions) show “displaying scheduled copying interface components

enabling the user to select a start time and a start date for a scheduled copying operation.” as recited in claims 8, 26 and 43.

Encoder drop down list 422 and encoder attributes button 426 of FIG. 12 (along with their respective descriptions) show “information input by the user includes encoding operation information indicative of a selected server and a corresponding selected multimedia device, and wherein said commands and associated parameters include an encoding command and associated encoding parameters for instructing said selected server to encode media data received from said selected media device.” as recited in claims 9, 27 and 44.

Start group box 435 of FIG. 12 (along with its respective description) shows “displaying scheduled encoding interface components enabling the user to select a start time and a start date for a scheduled encoding operation.” as recited in claims 10, 28 and 45.

Stop group box 443 of FIG. 12 (along with its respective description) shows “displaying duration interface components enabling the user to select from time duration specification options including, a first option of selecting a scheduled stop date and stop time for terminating said encoding operation, and a second option of selecting a time duration for which said scheduled encoding operation is to continue following said selected start time on said selected start date.” as recited in claims 11, 29 and 46.

“Record to” drop down combination box 472 of FIG. 12, (along with its respective description) shows “displaying a record-to selection interface component enabling the user to select a storage location from a list of available storage locations including predetermined

mapped ones of at least one memory device associated with said selected server.” as recited in claims 12, 30 and 47.

Steam box 455 of FIG. 12 (along with its respective description) shows “displaying playback destination selection interface components enabling the user to select at least one of the end user terminals as a destination for streaming said encoded portion of media data.” as recited in claims 13, 31 and 48.

Schedule play-back button 488 of FIG. 12 and define schedule box 808 of FIG. 22 (along with their respective descriptions) show “a first group of components enabling the user to select a start time and a start date for said play-back schedule; and a second group of components enabling the user to select from a plurality of options for specifying a play-back schedule duration.” as recited in claims 14, 32 and 49.

Run option button 860, repeat option button 864, and interval option button 866 of FIG. 22 (along with their respective descriptions), show “a first option of specifying a loop count value for repeating the streaming of said stored portion of media data a number of times equal to the loop count value; a second option of specifying a repeat schedule wherein said streaming of said stored portion of media data is repeated until the stored portion of media data is removed from a schedule list; and a third option of specifying an interval schedule wherein said streaming of said stored portion of media data is performed in accordance with a user defined schedule.” as recited in claims 15, 33 and 50.

FIG. 26 (along with its respective description) shows “operations further include notification operations associated with corresponding ones of the playback operations, said

notification operations for sending notification messages to selected network addresses associated with selected ones of the end user terminals and the administrator terminal.” as recited in claims 16, 34 and 51.

Destination group box 1240 of FIG. 32 (along with its respective description) shows “displaying multicasting destination selection interface components enabling the user to select at least one of the end user terminals as a destination for multicasting said selected portion of media data in accordance with a user defined multicasting schedule.” as recited in claims 17, 35 and 52.

Start box 1230 of FIG. 32 (along with its respective description) shows “a first group of components enabling the user to select a start time and a start date for a multicasting schedule; and a second group of components enabling the user to select from a plurality of options for specifying a multicasting schedule duration.” as recited in claims 18, 36 and 53.

VI. ISSUES

(A) Whether or not claims 1-4, 19-22 and 37-40 are unpatentable over *Sequeira* in view of *Bowman* in further view of *Fu*, under 35 U.S.C. § 103(a).

(B) Whether or not claims 5, 6, 23, 24, and 41 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Lindblad*, under 35 U.S.C. § 103(a).

(C) Whether or not claims 7, 8, 25, 26, 42, and 43 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Moskowitz*, under 35 U.S.C. § 103(a).

(D) Whether or not claims 9-16, 27-34, and 44-51 are unpatentable over *Sequeira* in view of *Bowman* and *Fu* and *Lindblad*, and in further view of *Morris*, under 35 U.S.C. § 103(a).

(E) Whether or not claims 17, 18, 35, 36, 52, and 53 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Monterio et al*, under 35 U.S.C. § 103(a).

VII. GROUPING OF CLAIMS

Independent claims 1, 19 and 37 stand or fall together (Group 1).

Dependent claims 2, 4, 20, 22, 38 and 40 stand or fall with their respective independent claims 1, 19 and 37 (Group 1).

Dependent claims 3, 21 and 39 stand or fall together, but are believed to be separately patentable over claims 2, 20 and 38, from which the respectively depend, and thus stand or fall separately from these claims (Group 2).

Dependent claims 5, 23 stand or fall together, but are believed to be separately patentable over claims 2, 20, from which the respectively depend, and thus stand or fall separately from these claims (Group 3).

Dependent claims 6, 24, and 41 stand or fall together, but are believed to be separately patentable over claims 2, 20 and 38, from which the respectively depend, and thus stand or fall separately from these claims (Group 4).

Dependent claims 7, 25 and 42 stand or fall together, but are believed to be separately patentable over claims 3, 21 and 39, from which the respectively depend, and thus stand or fall separately from these claims (Group 5).

Dependent claims 8, 26, 43 stand or fall together, but are believed to be separately patentable over claims 7, 25 and 42, from which the respectively depend, and thus stand or fall separately from these claims (Group 6).

Dependent claims 9, 27 and 44 stand or fall together, but are believed to be separately patentable over claims 2, 20 and 38, from which the respectively depend, and thus stand or fall separately from these claims (Group 7).

Dependent claims 10, 28 and 45 stand or fall together, but are believed to be separately patentable over claims 9, 27 and 44, from which the respectively depend, and thus stand or fall separately from these claims (Group 8).

Dependent claims 11, 29 and 46 stand or fall together, but are believed to be separately patentable over claims 10, 28 and 45, from which the respectively depend, and thus stand or fall separately from these claims (Group 9).

Dependent claims 12, 30 and 47 stand or fall together, but are believed to be separately patentable over claims 11, 29 and 46, from which the respectively depend, and thus stand or fall separately from these claims (Group 10).

Dependent claims 13, 31 and 48 stand or fall together, but are believed to be separately patentable over claims 12, 30 and 47, from which the respectively depend, and thus stand or fall separately from these claims (Group 11).

Dependent claims 14, 32 and 49 stand or fall together, but are believed to be separately patentable over claims 13, 31 and 48, from which the respectively depend, and thus stand or fall separately from these claims (Group 12).

Dependent claims 15, 33 and 50 stand or fall together, but are believed to be separately patentable over claims 14, 32 and 49, from which the respectively depend, and thus stand or fall separately from these claims (Group 13).

Dependent claims 16, 34 and 51 stand or fall together, but are believed to be separately patentable over claims 13, 31 and 48, from which the respectively depend, and thus stand or fall separately from these claims (Group 14).

Dependent claims 17, 35 and 52 stand or fall together, but are believed to be separately patentable over claims 2, 20 and 38, from which the respectively depend, and thus stand or fall separately from these claims (Group 15).

Dependent claims 18, 36 and 53 stand or fall together, but are believed to be separately patentable over claims 17, 35 and 52, from which the respectively depend, and thus stand or fall separately from these claims (Group 16).

VIII. ARGUMENTS

The following arguments are arranged in sections corresponding to the Issues "A" through "E" listed in Section VI above.

(VIII)(A) - Claims 1-4, 19-22 and 37-40 Are Patentable Over Any Reasonable Combination (If Any) of *Sequeira*, *Bowman* and *Fu*.

The Examiner has taken the position that claims 1-4, 19-22 and 37-40 are unpatentable over *Sequeira* in view of *Bowman* in further view of *Fu*.

(VIII)(A)(1) - Claims 1, 19 and 37

Regarding claims 1, 19 and 37, the Examiner takes the position that *Sequeira* discloses: (1) that a "Master Schedule node (fig. 1, 120) receives information input by [a] user specifying a selected one of the media servers for scheduling operations to be performed (col. 3, line 60 - col.

5, line 27);” and (2) displaying graphical information indicative of times at the selected media server (fig. 6, col. 14, lines 4-27).

The Examiner concedes that *Sequeira* fails to teach or suggest “the node and server being in different time zones.” Nevertheless, the Examiner alleges: (1) that such a feature is shown in Bowman, citing col. 104, line 55 - col. 105, line 9; and (2) that one of ordinary skill in the art would have modified the locally arranged system of *Sequeira* “in order for clients to interact with servers distributed in various regions through the world.” ND

Further, the Examiner concedes that *Sequeira* (even as modified by *Bowman*) fails to teach or suggest the “displaying of [the] current local time of the server in the different time zone.” Nevertheless, the Examiner alleges (1) that such a feature is shown in *Fu*, citing col. 4, line 54 - col. 5, line 10; and (2) that one of ordinary skill in the art would have modified *Sequeira* and *Bowman* in view of *Fu* “in order to better schedule events in different time zones for a traveling user.”

In contrast to the Examiner’s alleged motivation, Appellant respectfully submits that one of ordinary skill in the art, at the time of the invention that is the subject of the instant Application, would not have been motivated to modify *Sequeira* and/or *Bowman* with *Fu*.

Specifically, *Sequeira* discloses a method for controlling multimedia assets for broadcasting (col. 1, lines 6-9). A GUI 110 is provided to allow a programmer to schedule the showing of events and supporting events (*e.g.*, animation, video, etc.) at specific times on various broadcasting forums (*e.g.*, television), as shown in FIG. 8 (col. 2, lines 60-64). Once a programming schedule is entered, the Master Scheduler 120 (FIG. 1) and Slave Scheduler 140,

which are separate from the GUI 110, coordinate with a media server 130 to show the event or supporting event at whatever time the event is scheduled.

Thus, *Sequeira* only provides a GUI that arranges a programming schedule, and it is schedulers 120, 140 that actually direct server operations based on the entered programming schedule. There is simply no teaching or suggestion that GUI 110 allows a user to access or select any particular *server* to schedule operations. The user is limited to arranging the program on the grid (see option menu 1201 shown in FIG. 12). In fact, the purpose of *Sequeira* is to provide a Slave Scheduler 140 that can broadcast events if the Master Scheduler 120, to which GUI 110 is connected, fails (col. 2, lines 48-65).

In complete contrast to the programming scheduling system of *Sequeira*, *Fu* discloses an electronic appointment calendar interface, as shown in Fig. 2. The calendar shows a "local" current time and date (col. 2, lines 30-31). *Fu* also discloses a "home time" and a "remote time." Home time is disclosed as the time zone where the user typically spends most of his or her time. Remote time is disclosed as "the time zones of other individuals (*i.e.*, other than the user)" (col. 5, lines 6-8). These zones are calculated by *Fu* for use as a reference by the user. *Fu* fails to teach or suggest that either the "home time" or the "remote time" have any specific relationship or connection to any particular server or computer located in any time zone different from the user's time zone.

In fact, the home and remote times are provided to help a user manage communication with other people. For example, it is important that a person scheduling a phone conference knows of the time zone of the other party so that the phone conference does not occur at an

inappropriate time. *Fu* recognizes this by stating that the “interface and methods for scheduling and managing activities” disclosed in *Fu* are improved to support activities such as “a phone conference, across multiple time zones” (col. 2, lines 45-47).

The system of *Sequeira* (and/or *Bowman*) has no use for a approach such as that of *Fu*. Specifically, *Sequeira*, as discussed above, is directed toward scheduling events and supporting events to be broadcast. These events are scheduled on a grid that is in a single time zone. Other time zones are completely irrelevant to the broadcast programmer when he is arranging the grid in this single time zone. The broadcast programmer would not be interested in what time a particular meeting is going to take place in a separate time zone, at least in relation to setting up a programming schedule.

Further, the Examiner's alleged motivation to modify *Sequeira* in view of *Fu* (i.e., “in order to better schedule events in different time zones for a traveling user”), is unsupported by either reference. *Sequeira* does not schedule events in separate time zones. *Sequeira* schedules events in a single time zone, on a single grid, and is unconcerned with other time zones.

Further, even if the media server 130 of *Sequeira* could be arranged in a time zone separate from that of the broadcast scheduling GUI 110 (as alleged by the Examiner in view of *Bowman*), the time zone that the media server 130 is located in is still irrelevant to the broadcast scheduler, as it is the broadcast schedule that the scheduler is concerned with, not a server time.

Accordingly, one of ordinary skill in the art would not have been motivated to modify *Sequeira* (and/or *Bowman*) with *Fu*, as the prior art fails to teach or suggest the desirability of the combination. *In re Mills*, 916 F.2d 680 (Fed.Cir. 1990); MPEP §2143.01.

Thus, it is respectfully submitted that a person of ordinary skill in the art would not be motivated by the prior art to modify *Sequeira* and/or *Bowman* with *Fu*.

Further, even if one of ordinary skill in the art at the time of invention would have been motivated to modify *Sequeira* in view of *Bowman* and *Fu* as the Examiner alleges, even the resultant combination would fail to teach or suggest all of the features of claims 1, 19 and 37.

For example, Appellant respectfully submits that the applied references fail to teach or suggest, at the node (or client), "receiving information input by the user specifying a selected one of the media servers for scheduling operations to be performed."

Specifically, as discussed above, *Sequeira* is directed to a GUI 110 that allows a programmer to schedule events and supporting events on a time grid for broadcasting. There is no teaching or suggestion that *Sequeira* allows a user to select a specific media server, or to schedule a particular media server to perform an operation.

Rather, GUI 110 allows the user to set a broadcast schedule, which is then utilized by schedulers 120, 140 to interact with the server 130 to broadcast the event. Thus, it is schedulers 120 and 140 that schedule operations to be performed, not GUI 110. Any necessary operations on server 130 are transparent to GUI 110.

The secondary references (*Bowman* and *Fu*) are equally silent with respect to these features, as neither is particularly directed to any media operation.

Additionally, Appellant respectfully submits that the applied references fail to teach or suggest "at said node, displaying graphical information indicative of a current local time at said selected media server."

Specifically, even assuming, *arguendo*, that the Examiner's allegations are correct and that one of ordinary skill in the art would have modified *Sequeira* in view of *Bowman* to provide GUI 110 in a separate time zone from server 130, the further modification of this system in view of *Fu* would still not indicate a local time for the server 130.

As discussed above, *Fu* indicates a local time, and then calculates a "home time" and a "remote time" to assist the user in determining appropriate times to call associates or schedule meetings in diverse time zones.

However, *Fu* does not connect to any other system to retrieve these various times. Rather, *Fu* depends heavily upon a user indication of both the local time, and what other time zone to display. *Fu* does not teach or suggest any way to both determine and display the local time at a distant server without significant human interaction.

The Examiner has not explained how *Fu* would possibly be able to determine the local time of a distant server without being connected to it.

Thus, Appellant respectfully submits that independent claims 1, 19 and 37 are patentable over the applied references.

Additionally, Appellant respectfully submits that dependent claims 2-18, 20-36 and 38-53 are each allowable, at least by virtue of their respective dependency. Further, Appellant respectfully submits that at least claims 3, 5-18, 21, 23-36, 39 and 41-53 are separately patentable over the applied references.

(VIII)(A)(2) - Claims 3, 21 and 39

Regarding claims 3, 21 and 39, the Examiner takes the position that “*Sequeira* shows a media storage device attached to [a] media server for storing media data,” and that a user “is enabled to select preferred media from said attached media storage device corresponding to [the] selected media server (fig. 1 item 160, col. 4 line 7-13, col. 8 line 57 - col. 10 line 5).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest “said interface components include a source selection interface component enabling the user to select a source location by browsing a list of available locations including predetermined mapped ones of the media servers and predetermined mapped ones of the memory devices.”¹

Specifically, there is no teaching or suggestion in *Sequeira* that the GUI 110 is capable of providing any list of various available servers 130, or various available storage devices 160, or even that the GUI 110 can tell the difference between servers 130 and storage devices 160.

Further, *Bowman* and *Fu* are equally silent with respect to these features.

(VIII)(B) - Claims 5, 6, 23, 24, and 41 Are Patentable Over Any Reasonable Combination (If Any) of *Sequeira*, *Bowman*, *Fu* and *Lindblad*.

The Examiner has taken the position that claims 5, 6, 23, 24, and 41 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Lindblad*.

¹ Appellant respectfully submits that the recited features of claims 3, 21 and 29 are separately patentable over the claims from which they depend. For example, the selection of a source location among media servers and memory devices is separately patentable over the previously recited selection of an operation.

(VIII)(B)(1) - Claims 5 and 23

Regarding claims 5 and 23, the Examiner takes the position that *Sequeira*, *Bowman* and *Fu* all fail to teach or suggest “an applet being sent to a terminal.” Nevertheless, the Examiner alleges that: (1) *Lindblad* discloses an applet transmitted to terminal via network for display in at terminal window (col. 3 lines 25-48, col. 5, lines 5-26); and (2) that it would have been obvious to modify *Sequeira* with *Lindblad* so that an applet could be used “to request and control multimedia document streams from [the] video server.”

In contrast, Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to modify *Sequeira* (with or without *Bowman* and *Fu*) with *Lindblad*, as the Examiner alleges.

Sequeira, as discussed above, provides a GUI 110 to set up a broadcasting schedule. There is no teaching or suggestion that any portion of *Sequeira*, and particularly GUI 110, is at all capable of displaying streaming video. Further, there is no need for such functionality, as *Sequeira* is a scheduling program, not a viewing program.

In complete contrast, *Lindblad* provides an applet 212 to allow a multimedia document 206 to be viewed with streaming video on a display device 130 of a computer 100. An applet tag 214 calls the applet 212 in order to retrieve a file from a server 250, and play the retrieved file within multimedia document 206. Thus, in *Lindblad*, applet 212 has a specific streaming video function and is used specifically within a multimedia document.

As discussed above, *Sequeira* is a scheduling program, not a viewing program. Thus, it would not have been obvious to modify the scheduling GUI of *Sequeira* to use the applet 212 of

Lindblad, because, for example, the GUI 110 of *Sequeira* is not a multimedia document, and is not a multimedia viewing program. Accordingly, *Sequeira* would have no need for *Lindblad*'s system, and one of ordinary skill in the art would not have been motivated to modify *Sequeira* as the Examiner alleges.

Additionally, even if it were possible and/or reasonable to modify *Sequeira* (with or without *Bowman* and *Fu*) with *Lindblad*, as the Examiner has alleged, Appellant respectfully submits that even the resultant combination would fail to teach or suggest "transmitting an applet to the administrator terminal via the network; and executing said applet over the processing unit of the administrator terminal; whereby said graphical user interface is displayed within a browser window generated by said browser application on the display unit."²

Specifically, the applet 212 of *Lindblad* is only provided to retrieve multimedia files from, for example, the video server 250. There is no teaching or suggestion in *Lindblad* that applet 212 is capable of any additional functionality, such as supporting the display of a GUI within a browser window.

(VIII)(B)(2) - Claims 6, 24 and 41

Regarding claims 6, 24 and 41, the Examiner takes the position that *Lindblad* shows "the encoding of media data (col. 8 lines 1-9, col. 6, lines 25-29)."

² Appellant respectfully submits that the recited features of claims 5 and 23 are separately patentable over the claims from which they depend. For example, the use of an applet transmitted to a terminal is separately patentable over the previously recited displaying of a GUI at the terminal.

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest a media server performing “encoding operations for encoding media data received by selected ones of the media servers.”³

Specifically, while *Lindblad* discloses a field 310 that indicates what encoding format the bit stream received by decoder 204 is in, it completely fails to teach or suggest any ability for the server 250 to perform any type of encoding operations.

Sequeira, *Bowman* and *Fu* are also silent with respect to any encoding of media data.

(VIII)(C) - Claims 7, 8, 25, 26, 42, and 43 Are Patentable Over Any Reasonable Combination (If Any) of Sequeira, Bowman, Fu and Moskowitz.

The Examiner has taken the position that claims 7, 8, 25, 26, 42, and 43 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Moskowitz*.

(VIII)(C)(1) - Independent Claims 7, 25 and 42

Regarding claims 7, 25 and 42, the Examiner takes the position that the proffered combination of *Sequeira*, *Bowman* and *Fu* discloses the steps of: (1) displaying a source selection interface enabling user to select a source location resulting in receiving information input by user (*Sequeira*, col. 6 lines 41-51, fig 3A item 310); and (2) displaying an asset list and receiving input by user (*Sequeira*, col. 10 lines 14-40 fig. 32A 3201g).

The Examiner concedes that the proffered combination of *Sequeira*, *Bowman* and *Fu* fails to teach or suggest “destination selection interface of assets being portions.” Nevertheless, the

³ Appellant respectfully submits that the recited features of claims 6, 24 and 41 are separately patentable over the claims from which they depend. For example, the streaming of media to terminals is separately patentable over the previously recited selection of an operation.

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Examiner alleges that *Moskowitz* discloses (1) allowing [the] user to arrange the delivery of media data to a destination device (col. 4 lines 10-20, 55-60); and (2) that it would have been obvious to modify the system of *Sequeira*, *Bowman* and *Fu* with *Moskowitz* "in order to serve a selected media event to a virtually unlimited number of subscribers."

In contrast, Appellant respectfully submits that one of ordinary skill in the art would not have been motivated to modify *Sequeira*, *Bowman* and *Fu* with *Moskowitz* as the Examiner alleges.

Specifically, *Sequeira* (with or without *Bowman* and *Fu*) is directed to a system for scheduling events for broadcast as discussed above.

In contrast, *Moskowitz* is directed to a multimedia on demand system (col. 1, lines 9-12) utilizing a multimedia server 11 connected through a broadband network 3 to terminals 4. Users at terminals 4 request events from the server 11, and the requested events are played at terminals 4 in a real time fashion.

Thus, *Sequeira* and *Moskowitz* are completely disparate systems, and one of ordinary skill in the art would not have looked to *Moskowitz* to modify *Sequeira*. *Sequeira* schedules broadcasting to be sent from servers, while *Moskowitz* allows users to access media on servers without waiting for the scheduled broadcasting time. The user in *Sequeira* is the broadcast scheduler, while the user in *Moskowitz* is the end user.

Additionally, even if it were possible to modify *Sequeira*, *Bowman* and *Fu* with *Moskowitz* as the Examiner has alleged, Appellant respectfully submits that the applied references fail to teach or suggest "displaying a source selection interface component enabling

Rejection is based:
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in this case from final rejection

the user to select a source location by browsing a list of available locations including predetermined mapped ones of the media servers and predetermined ones of the memory devices," for at least the reasons discussed above with respect to claims 3, 21 and 39.

Additionally, Appellant notes that *Moskowitz* fails to teach or suggest any ability for a user to specifically select any particular server 11 or storage device 2a - 2f.

Further, Appellant respectfully submits that the applied references fail to teach or suggest "determining a corresponding list of possible destination locations associated with said selected source location; and displaying a destination selection interface component enabling the user to select a destination location from said corresponding list of possible destination locations."⁴

It is clear that *Sequeira* fails to teach or suggest any particular destination location, as the GUI 110 in question does not copy or move media files. *Bowman* and *Fu* are silent regarding any destination locations, or for that matter, media files in general.

Moskowitz also fails to teach or suggest these features. First, if the system of *Moskowitz* were implemented in *Sequeira*, it would create two separate, parallel, systems, a GUI 110 at the broadcast center according to *Sequeira*, and individual controls at terminals 4 according to *Moskowitz*, as these systems are not focused on the same users. Thus, no further control would be added to the *Sequeira* system.

⁴ Appellant respectfully submits that the recited features of claims 7, 25 and 42 are separately patentable over the claims from which they depend. For example, selection of a destination is separately patentable over the previously recited selection of a source.

Further, there is no teaching or suggestion that *Moskowitz* is capable of providing any ability for a user to select from multiple destination locations. In fact, such an ability would not make sense, as *Moskowitz*'s video on demand system is designed to deliver information requested by a particular user to a particular terminal associated with the user. In *Moskowitz*, users do not request that programming be delivered to a terminal other than the terminal the user is at.

(VIII)(C)(2) - Independent Claims 8, 26 and 43

Regarding claims 8, 26 and 43, the Examiner takes the position that “*Sequeira* shows displaying scheduled copy interface components enabling user to select a start time and date for copying, and generating a copy command associated with the start time and date of selected source (fig 7 col. 14 lines 28-32).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest “enabling the user to select a start time and a start date for a scheduled copying operation.”⁵

As discussed above, *Sequeira* is a broadcast scheduling system, not a system for manipulation of media assets, such as copying a media file from one location to another within a network. Thus, *Sequeira*'s scheduling cannot provide a start or finish time for a copying operation.

⁵ Appellant respectfully submits that the recited features of claims 8, 26 and 43 are separately patentable over the claims from which they depend. For example, the selection of a start time for copying is separately patentable over the previously recited selection of a destination.

Bowman and *Fu* are silent with respect to these features.

Moskowitz fails to teach or suggest selecting any particular start time or date, because the *Moskowitz* system is directed to instantaneous video on demand, *i.e.*, there is no need for such advance scheduling.

(VIII)(D) - Claims 9-16, 27-34, and 44-51 Are Patentable Over Any Reasonable Combination (If Any) of *Sequeira*, *Bowman*, *Fu*, *Lindblad* and *Morris*.

The Examiner has taken the position that claims 9-16, 27-34, and 44-51 are unpatentable over *Sequeira* in view of *Bowman* and *Fu* and *Lindblad*, and in further view of *Morris* (US 6,353,848 B1; hereinafter "*Morris*").

Regarding claims 9-16, 27-34, and 44-51, the Examiner has conceded that *Sequeira*, *Bowman*, *Fu* and *Lindblad* all fail to teach or suggest "a multimedia device operative to generate multimedia data." Nevertheless, the Examiner alleges that *Morris*: (1) discloses "a method and system for allowing control of [a] multimedia device over a network;" and (2) that it would have been obvious to modify *Sequeira*, *Bowman*, *Fu* and *Lindblad* in view of *Morris* "to generate the multimedia data in order to allow remote access and control of media devices for the purposes of imaging and surveillance operations."

In contrast, Appellant respectfully submits that one of ordinary skill in the art would not have been motivated to modify *Sequeira*, (with or without *Bowman*, *Fu* and *Lindblad*) in view of *Morris* as the Examiner alleges.

Specifically, as discussed above, *Sequeira* is directed to a broadcasting scheduling system. In contrast, *Morris* discloses an Internet-based access method that allows the remote use

of a camera 300 by a client computer 120. Thus, similar to *Moskowitz*, *Morris* is a multimedia on demand system that is incompatible with the scheduling system disclosed by *Sequeira*.

Accordingly, one of ordinary skill in the art would not have looked to *Morris* to modify *Sequeira*, as they are directed to systems that operate in opposite fashions, and service distinct, non-overlapping users (*Sequeira's* is a transmitting/broadcasting user, while *Morris's* is a requesting/receiving user).

(VIII)(D)(1) - Independent Claims 9, 27 and 44

Regarding claims 9, 27 and 44, the Examiner takes the position that “*Morris* shows a multimedia device operative to generate media data, such device linked to server (col. 15 lines 36 - col. 16 line 25).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest the control of multimedia devices where “information input by the user includes encoding operation information indicative of a selected server and a corresponding selected multimedia device, and wherein said commands and associated parameters include an encoding command and associated encoding parameters for instructing said selected server to encode media data received from said selected media device.”⁶

Specifically, as discussed above, *Sequeira*, *Bowman*, *Fu* and *Lindblad* (alone or in combination) fail to teach or suggest selecting any particular server. Further, there is no teaching

⁶ Appellant respectfully submits that the recited features of claims 9, 27 and 44 are separately patentable over the claims from which they depend. For example, the generation of media data is separately patentable over the previously recited specifying of an operation.

or suggestion of any ability of a user in *Morris* to select a specific server, or that any encoding parameters are sent to the server 190. Rather, the user at a client computer 120 merely is allowed to access and view the camera 300.

(VIII)(D)(2) - Independent Claims 10, 28 and 45

Regarding claims 10, 28 and 45, the Examiner takes the position that: (1) “*Sequeira* shows a display device for enabling [a] user to select a start time and date for encoding of operations (fig. 7 col. 14 lines 28-32);” and (2) *Lindblad* further shows the encoding of such requested data associated with client request (col. 6 lines 18-32).

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest “displaying scheduled encoding interface components enabling the user to select a start time and a start date for a scheduled encoding operation.”²

Specifically, *Sequiera* only provides a system for scheduling events. *Sequiera* does not provide any ability to schedule encoding operations, or to communicate with a server to operate a remote camera. *Bowman*, *Fu* and *Lindblad* are equally silent regarding such features.

In fact, the only reference that discloses the ability to access media is *Morris*. However, *Morris* fails to teach or suggest performing any encoding operation on the meida. Further, *Morris* fails to teach or suggest any ability to schedule such an operation, as it is a real time

² Appellant respectfully submits that the recited features of claims 10, 28 and 45 are separately patentable over the claims from which they depend. For example, the selection of a start time is separately patentable over the previously recited generation of media data.

system. In other words, there is no teaching or suggestion in *Morris* that the client computer 120 can schedule the camera 300 to operate at any particular time.

Further, as discussed above with respect to claims 6, 24 and 41, *Lindblad* only discloses a field 310 that indicates what encoding format the bit stream received by decoder 204 is in. *Lindblad* completely fails to teach or suggest any ability for the server 250 to perform any type of encoding operation.

(VIII)(D)(3) - Independent Claims 11, 29 and 46

Regarding claims 11, 29 and 46, the Examiner takes the position that “*Sequeira* shows a first option of selecting stop date and time, and second option including duration and start time (fig. 32A/B, col. 21 lines 15-30).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest the steps of “ displaying duration interface components enabling the user to select from time duration specification options including, a first option of selecting a scheduled stop date and stop time for terminating said encoding operation, and a second option of selecting a time duration for which said scheduled encoding operation is to continue following said selected start time on said selected start date.”⁸

⁸ Appellant respectfully submits that the recited features of claims 11, 29 and 46 are separately patentable over the claims from which they depend. For example, the selection of duration is separately patentable over the previously recited selection of start time.

Specifically, as discussed above (*e.g.*, Section (VIII)(D)(2)), *Sequeira* fails to teach or suggest any ability to directly select or act on any individual server, or any multimedia device connected to that server.

Bowman, Fu, Lindblad and Morris are equally silent regarding such features.

(VIII)(D)(4) - Independent Claims 12, 30 and 47

Regarding claims 12, 30 and 47, the Examiner takes the position that “*Sequeira* shows the recording of media data to a memory location on a server, a display is used to register the client and camera (col. 15 lines 57 - col. 16 line 26).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest the steps of “displaying a record-to selection interface component enabling the user to select a storage location from a list of available storage locations including predetermined mapped ones of at least one memory device associated with said selected server.”²

Specifically, as discussed above (*e.g.*, Section (VIII)(D)(2)), *Sequeira* fails to teach or suggest any ability to directly select or act on any individual server, or any multimedia device connected to that server. Further, *Sequeira* is silent with respect to any ability to record any data, as it is only directed to broadcasting scheduling. Further, *Sequeira* fails to teach or suggest differentiating between memory devices and servers.

² Appellant respectfully submits that the recited features of claims 12, 30 and 47 are separately patentable over the claims from which they depend. For example, the selection of a storage location is separately patentable over the previously recited selection of duration.

Morris fails to teach or suggest any particular ability to record data, as it is a real time system.

Bowman, Fu, and Lindblad are equally silent regarding such features.

(VIII)(D)(5) - Independent Claims 12, 31 and 48

Regarding claims 13, 31 and 48, the Examiner takes the position that “*Sequeira* shows a display for user to select [a] playback destination and schedule (fig 23, col. 19 lines 1-67).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest the steps of “displaying playback destination selection interface components enabling the user to select at least one of the end user terminals as a destination for streaming said encoded portion of media data.”¹⁰

Specifically, *Sequeira* is completely silent with respect to specifically selecting a particular destination for streaming encoded media data. *Morris* fails to provide any ability to select among multiple destinations, as the requestor is a single destination, to which the data is always transmitted.

Bowman, Fu, and Lindblad are equally silent regarding such features.

(VIII)(D)(6) - Independent Claims 14, 32 and 49

Regarding claims 14, 32 and 49, the Examiner takes the position that “*Sequeira* shows a play back schedule having a first and second group of component[s] enabling [a] user to

¹⁰ Appellant respectfully submits that the recited features of claims 13, 31 and 48 are separately patentable over the claims from which they depend. For example, the selection of a playback destination is separately patentable over the previously recited selection of a storage location.

selecting [a] start time and date as well as options for play-back (fig 7 col. 14 lines 28-32, fig. 32 A/B, col. 21 lines 15-30)."

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest "a first group of components enabling the user to select a start time and a start date for said play-back schedule; and a second group of components enabling the user to select from a plurality of options for specifying a play-back schedule duration."¹¹

Specifically, as discussed above (*e.g.*, Section (VIII)(D)(2)), *Sequeira* fails to teach or suggest any ability to obtain and then output real time multimedia files, as *Sequeira* is directed to the future scheduling of events. *Morris*, as discussed above (*e.g.*, Section (VIII)(D)(2)), is directed to real time playback, and thus also fails to teach or suggest such features.

Bowman, *Fu*, and *Lindblad* are equally silent regarding such features.

(VIII)(D)(7) - Independent Claims 15, 33 and 50

Regarding claims 15, 33 and 50, the Examiner takes the position that "*Lindblad* shows a loop count value for repeat of streaming of sorted media (col. 8 lines 1-9)."

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest "a first option of specifying a loop count value for repeating the streaming of said stored portion of media data a number of times equal to the loop count value; a second option of specifying a repeat schedule wherein said streaming of said stored portion of media data is

¹¹ Appellant respectfully submits that the recited features of claims 14, 32 and 49 are separately patentable over the claims from which they depend. For example, the selection of a playback start time and duration is separately patentable over the previously recited selection of playback destination.

repeated until the stored portion of media data is removed from a schedule list; and a third option of specifying an interval schedule wherein said streaming of said stored portion of media data is performed in accordance with a user defined schedule.”¹²

Specifically, Appellant respectfully submits that *Lindblad* fails to teach or suggest repeating stored data until scheduled removal, or of specifying an interval schedule.

Further, *Sequeira Bowman*, *Fu* and *Morris* all fail to teach or suggest any ability to provide a repeating schedule for any particular media.

(VIII)(D)(8) - Independent Claims 16, 34 and 51

Regarding claims 16, 34 and 51, the Examiner takes the position that “*Sequeira* shows an event notification message (col. 9 lines 32-42).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest that the “operations further include notification operations associated with corresponding ones of the playback operations, said notification operations for sending notification messages to selected network addresses associated with selected ones of the end user terminals and the administrator terminal.”¹³

Specifically, *Sequeira* fails to teach or suggest any ability to send notifications to selected network addresses associated with end user terminals. In fact, *Sequeira* provides no teaching or

¹² Appellant respectfully submits that the recited features of claims 15, 33 and 50 are separately patentable over the claims from which they depend. For example, the selection of playback repetition is separately patentable over the previously recited selection of playback start time and duration.

¹³ Appellant respectfully submits that the recited features of claims 16, 34 and 51 are separately patentable over the claims from which they depend. For example, the provision of notifications is separately patentable over the previously recited selection of playback destination.

suggestion that it is even aware of any particular end user terminals. The portion of *Sequeira* cited by the Examiner is related to internal code notifications, not notifications sent to end user terminals.

Bowman, *Fu* and *Morris* are all silent regarding such features.

(VIII)(E) - Claims 17, 18, 35, 36, 52, and 53 Are Patentable Over Any Reasonable Combination (If Any) of *Sequeira*, *Bowman*, *Fu* and *Monterio*.

The Examiner has taken the position that claims 17, 18, 35, 36, 52, and 53 are unpatentable over *Sequeira* in view of *Bowman* and *Fu*, and in further view of *Monterio*.

The Examiner has conceded that *Sequeira*, *Bowman* and *Fu* fail to teach or suggest “displaying multicasting destination interface information.”

Nevertheless, the Examiner alleges that: (1) “*Monterio* shows multicasting of media data and display of selections for multicast broadcasts. (col. 16 lines 20 - col. 17 lines 30);” and (2) it would have been obvious to modify *Sequeira*, *Bowman* and *Fu* in view of *Monterio* “by using a display for multicasting media data to a plurality of users at the same time in order [to] carryout multi-party conferencing of data and images.”

(VIII)(E)(1) - Independent Claims 17, 35, and 52

Regarding claims 17, 35 and 52, the Examiner fails to take a specific position, and thus has failed to establish a *prima facie* case of obviousness.

In any event, Appellant respectfully submits that the applied references fail to teach or suggest the steps of “displaying multicasting destination selection interface components enabling the user to select at least one of the end user terminals as a destination for multicasting said selected portion of media data in accordance with a user defined multicasting schedule; [and]

displaying multicasting schedule interface components enabling the user to define a multicasting schedule.”¹⁴

Specifically, none of the applied references teach or suggest any ability to define multicasting destinations.

(VIII)(E)(2) - Independent Claims 18, 36 and 53

Regarding claims 18, 36 and 53, the Examiner takes the position that “*Sequeira* shows a first and second group of components allowing [a] user to select [a] start time and date for and other options for schedule duration (fig 7 col. 14 lines 28-32, fig 32A/B, col. 21 lines 15-30).”

In contrast, Appellant respectfully submits that the applied references fail to teach or suggest “a first group of components enabling the user to select a start time and a start date for a multicasting schedule; and a second group of components enabling the user to select from a plurality of options for specifying a multicasting schedule duration.”¹⁵

Specifically, *Sequeira* fails to teach or suggest any ability to define a multicast destination, as discussed above.

Bowman, *Fu* and *Monterio* are all silent regarding such features.

¹⁴ Appellant respectfully submits that the recited features of claims 17, 35 and 52 are separately patentable over the claims from which they depend. For example, the selection of multicast destinations is separately patentable over the previously recited selection of operations.

¹⁵ Appellant respectfully submits that the recited features of claims 18, 36 and 53 are separately patentable over the claims from which they depend. For example, the selection of a multicast start time is separately patentable over the previously recited selection of a multicast destination.

IX. CONCLUSION

In view of the foregoing differences between appealed claims 1-53 and the cited references, the Appellant respectfully submits that appealed claims 1-53 are patentable over *Sequeira, Bowman, Fu, Moskowitz, Lindblad, Morris* or *Monterio*, either alone or in any reasonable combination. Thus, claims 1-53 are believed to be allowable over these references.

The present Brief on Appeal is being filed in triplicate. Unless a check is submitted herewith for the fee required under 37 C.F.R. §1.192(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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